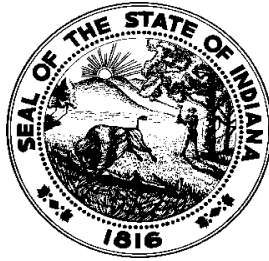


**LOCAL GOVERNMENT TAX CONTROL BOARD**



**RECOMMENDATIONS**

**TO**

**DEPARTMENT OF LOCAL GOVERNMENT FINANCE**

**FROM**

**MAY 27, 2004**

Mr. Riehle called the May 27<sup>th</sup> Local Government Tax Control Board meeting to order at 9:00am.

### **Attendance**

The following Board Members attended the meeting: James Riehle, Richard Eckerle, Stan Mettler, Lisa Acobert and Dan Eggerman (substituting for Bob Harris of the DLGF).

### **Discussion**

Judy Robertson reported that there was one outstanding issue – Washington Township, Hendricks County, in which the Commissioner had requested additional information on the fire station portion of the projects before signing the order.

### **Recommendation**

Richard motioned to recommend approval of the minutes from the April 22<sup>nd</sup> meeting. Stan seconded and the motion carried 5-0.

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### **Worth Township, Boone County Township Fire Equipment and Building Loan**

The unit is requesting approval to enter into a township fire equipment loan in the amount of \$225,000 for six years in order to purchase a new fire engine. The new engine would replace a 1977 engine. The anticipated tax rate is .0607 based on a fire assessed value of \$64,347,343 and an annual levy of \$39,051.

### **Taxpayer Objections:**

The date of publication for a public hearing was March 10<sup>th</sup>, 2004. A public hearing was held March 21<sup>st</sup>, 2004. The Notice of Determination was published March 31<sup>st</sup>, 2004. The Auditor certified No Remonstrance on May 3<sup>rd</sup>, 2004.

### **Attendance**

The following people attended the hearing: Robert L. Guest (Township Trustee), Elizabeth M. McComach (Township Advisory Board).

### **Discussion**

The unit is located in Boone County. There is a 700-business complex going up and an additional 1100 homes have been platted. They have only two fire engines to service the whole area. They need to add another engine to service the increased population. They feel that this is the direction they need to go. The unit has not been in debt very much over the last few years. They currently have only one debt issue, and that is to build a fire station.

Questions from the Board:

James: Is your department all volunteers?

Answer: The firefighters are all volunteers; they have a paid part-time fire chief plus one person in the township has been hired to deal with the development of the township. They are changing from a rural community to a residential one.

Stan: Have you awarded a bid yet?

Answer: No, they are waiting for approval from the DLGF first.

Stan: Judy, did you hear from the Fire Marshall?

Judy: Yes and he reports that the costs are reasonable.

### **Recommendation**

Stan motioned to recommend approval for a fire loan in the amount of \$225,000. Dan seconded and the motion carried 5-0.

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### **Madison Township, Morgan County Emergency Fire Loan**

The unit is requesting approval of an emergency fire loan in the amount of \$301,080. Proceeds of the loan will be used to fund fire operations through 2004 – including firefighters salaries, FICA, health insurance and pension payments. The anticipated tax rate is .1039 based on an assessed value of \$487,725,557 and an annual levy of \$506,952.

The unit shows a need, based on the following emergency loan calculation, of:

January 1, 2004 Cash Balance	<b>Fire Fund</b>	\$108,378
Plus: 2004 Certified Tax Levy		\$165,255
Plus: Estimated 2004 Revenues		<u>\$509,636</u>
Total Funds Available 2004		\$783,269
Less: Encumbered Appropriations		\$0
Less: Estimated 2004 Expenditures		<u>\$1,084,349</u>
Funds Remaining		(\$301,080)

Emergency Loan Requirement	<div><b>\$301,080</b></div>
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### **Taxpayer Objections:**

The date of publication for a public hearing was (date not given). A public hearing was held March 9<sup>th</sup>, 2004. The Notice of Determination was published (date not given). The Remonstrance period will end (date not given).

## **Attendance**

The following people attended the hearing: Rodger J. Birchfield (Trustee), Eric Reedy (Accountant), Stephen R. Buschmann (Attorney).

## **Discussion**

The unit provided a written proposal that gave details on the following items:

- 1) Overview of Madison Township
  - a) Fire Stations
  - b) Apparatus
  - c) Major Points of fire protection
  - d) Command Structure
- 2) Overview of the 2004 Emergency Loan
  - a) Date of public hearings and additional board meetings when the loan was discussed
  - b) News articles
  - c) Certificate of No Remonstrance
  - d) National Fire Protection Association recommendation
  - e) History of emergency loans
  - f) Increased emergency responses
  - g) Increased building permits with current/upcoming major developments
  - h) Fire service area
- 3) Comparison to surrounding fire service property tax rates
- 4) Projected fire service tax rate for 2005
- 5) Property Tax impact on a “typical” homeowner

Questions by the Board:

Richard: Were the eight news articles you mentioned for or against the project?

Answer: The majority of them were for the loan – except for a couple of letters to the editor that were against the loan.

James: Do you provide emergency services also?

Answer: We have an ambulance and an EMT, but not a paramedic.

Lisa: You have used a growth factor of 1.0647 – how did you arrive at that number?

Answer: It was the growth factor used last year by the DLGF and we based the current numbers on what was used last year.

Stan: How much is your contract with the Volunteer Fire Department?

Answer: We do not have a contract – it is all done in-house.

Dan: Was the emergency loan in 2003 presented to support operating costs?

Answer: Yes – to increase personnel from 4 to 8.

Stan: Where is the estimated revenue of \$509,000 coming from?

Answer: The majority is coming from Certified Shares carried over from last year (\$100,000) plus insurance money (\$220,000).

Stan: Did the Township receive special legislation to increase your maximum levy?

Answer: No – White River Township did, but not us.

### **Recommendation**

Stan motioned to recommend approval to obtain an emergency fire loan in the amount of \$301,080. Richard seconded and the motion carried 5-0.

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### **City of Shelbyville, Shelby County Redevelopment Commission General Obligation Bonds**

The unit is requesting approval to issue general obligation bonds of the Redevelopment Commission in the amount of \$4,800,000 for a term of twenty-one (21) years. Proceeds of the bonds will be used to improve the existing east-west and north-south routes connecting SR 9 and SR 44 in the City of Shelbyville. The project also includes the reconstruction of CR 200 South and a new at-grade railroad crossing. The debt payments are expected to be paid from cumulative thoroughfare funds; therefore the unit is asking for a property tax backup only. If sufficient funds are not available, the anticipated tax rate is estimated to be .0535 based on an assessed value of \$845,672,724 and an annual levy of \$452,300. The Common Construction Wage passed on May 3<sup>rd</sup>, 2004 with a 5-0 vote. This is an uncontrolled project.

### **Taxpayer Objections:**

Public meetings were held April 19<sup>th</sup> and May 03<sup>rd</sup>, 2004. This issue will be subject to remonstrance after the Notice to Sale Bonds is published.

### **Attendance**

The following people attended the hearing: Scott Furgeson (Mayor), Kyle M. Baker (City Attorney), Tom DeBaun (Plan Commission Director), Bruce Donaldson (Bond Counsel), Courtney Schaafsma (Crowe Chizek), Michael Claytor (Crowe Chizek), Amy R. Moore (Butler Fairman & Seufert).

### **Discussion**

The General Obligation Bond issue will be paid for from Metropolitan Thoroughfare funds through the Development Commission. They are requesting property-tax backup in order to receive a better bond rating, and therefore a lower interest rate.

Their project is a road project to connect I74 to SR9. It will mean that they will make available a rural area that can house 400 new homes plus a new school.

The unit then showed a demographics map and showed in discussed in detail the project, which is broken into three phases.

Questions by the Board:

Stan: Will this bond issue cover all three phases?

Answer: Yes, it will.

Stan: Is the County involved in this project?

Answer: No, the County is not involved, especially not financially; they have endorsed it though. This project is considered a Group 3 Federal Aid Project.

Stan: This is a \$10-\$12 million project and the local part is approximately \$2 million?

Answer: Yes.

Stan: Will the rest of the project require the acquisition of right-of-ways?

Answer: The City will enter into an escrow contract with INDOT who will oversee the project. This is the way it has to be done because Federal Aid monies are being used and the Federal Government does not contract with Cities/Towns. We (the City) are using this method as a means to control growth.

James: Has there been public support for the project?

Answer: Yes, a lot.

Richard: What is the length of the project?

Answer: Approximately three miles.

Stan: Will it be two or four lanes?

Answer: Two, with bi-directional turn lanes. It also includes a pedestrian path alongside the entire length of the corridor.

Richard: What is the time frame?

Answer: Phase 1 will begin this fall, or three months after all right-of-ways have been acquired. Phase 2 is already in the design stage. The whole project – all three phases – should be completed by late 06 or early 07.

### **Recommendation**

Richard motioned to recommend approval to issue General Obligation Bonds in the amount of \$4,800,000 for a term not to exceed twenty-one (21) years. Lisa seconded and the motion carried 5-0.

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**Noblesville Redevelopment Authority, Hamilton County  
Lease**

The unit is requesting approval to enter into a lease with maximum annual lease payments in the amount of \$641,000 for a term of twenty-four (24) years. Proceeds of the loan will be used to design, acquire land, relocate utilities, and construction costs associated with Little Chicago Road from SR 32 to approximately 230 feet north of 191<sup>st</sup> St centerline. The anticipated tax rate is .0340 based on an assessed value of \$1,734,696,408 and an annual levy of \$589,720. The Common Construction Wage passed 3-0.

**Taxpayer Objections:**

The date of publication for a public hearing was February 17<sup>th</sup>, 2004. A public hearing was held February 27<sup>th</sup>, 2004. The Notice of Determination was published April 9<sup>th</sup>, 2004. The Remonstrance period ended May 9<sup>th</sup>, 2004.

**Attendance**

The following people attended the hearing: Michael Howard (City Attorney), Lucy Emison (Bond Counsel with Ice Miller), Brian Colton (Financial Advisor with H.J. Umbaugh & Company), Kelly Hill (Public Finance Banking Associate with City Securities), Kevin Jump (City Engineer), Randy Ruhl (City Security Corp.).

**Discussion**

This Redevelopment Corporation lease is an important project for the City. It is broken into two parts – one part will be funded and worked by the state; the second part will be done by the City. The road project will be a 5-lane road with a divided median. It will provide a major transportation link and will hook up with the 5-lane Hazeldell road that Carmel completed.

There has been no remonstrance at any meetings or hearings since 2001. They have issued a right-of-way clearing contract and the utilities are being moved and should be finished by the time they start the road improvements.

The tax rate increase is approximately 8% for the first year. The Common Construction Wage scale was unanimously approved.

Questions by the Board:

James: Is this all inside the City limits?

Answer: Yes.

James: Looks like you've had some annexations.

Answer: Since 1996 they have planned and prepared for growth (in part, to pre-empt the actions of a neighboring city).

James: How did Little Chicago Rd get its name?

Answer: They have no idea.

Stan: Are all the local funds on hand?

Answer: All of the \$2,000,000 is on hand, except for about \$30,000, which they might have by the time they get back to the office this morning. Another \$1,300,000 will be reimbursed by the state. That money originally came out of their road impact fees.

Judy: Bring me your map and I will show you where I live. Do you plan on closing Little Chicago Road for two years while you complete this project? If so, you are going to close the main entrance into the subdivision where I live.

Answer: No, the road will continue to be open the whole time.

### **Recommendation**

Stan motioned to recommend approval to enter into a lease with maximum annual lease payments of \$641,000 for a term not to exceed twenty-four (24) years. Dan seconded and the motion carried 4-0. (Lisa had temporarily stepped away from the meeting)

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### **Montgomery County, Montgomery County Lease (First Mortgage Bonds)**

The unit is requesting approval to enter into a lease with maximum annual lease payments of \$1,674,000 for a term not to exceed twenty-one (21) years, with total amount of lease not to exceed \$17,000,000. The lease will be used to construct a new jail and everything associated with it. The anticipated tax rate is estimated to be .0881 based on an assessed value of \$1,899,823,892 and an annual levy of \$1,674,000. The Common Construction Wage meeting was held on April 27<sup>th</sup>, 2004 and passed with a 5-0 vote. This is a controlled project.

### **Taxpayer Objections:**

The Date of Publication for a public meeting was June 5<sup>th</sup>, 2003 and April 1<sup>st</sup>, 2004. A Public hearing was held on June 24, 2003 and May 11, 2004. The Notice of Determination was published June 30, 2003. The Auditor certified a Remonstrance on August 14<sup>th</sup>, 2003 and the results of the Remonstrance on November 25<sup>th</sup>, 2003. Those for the project exceeded those in opposition.

### **Attendance**

The following people attended the hearing: Cindy Edmiston (President, Board of Commissioners), Harry Siams (Attorney for Commissioners), Rob Creviston (American Consulting Project Manager), Kirk E. Gradok (Barnes & Thornburg, LLP), Robert Coudrei (Chief Deputy of Police), Courtney Schaafsma (Crowe Chizek), Michael Claytor (Crowe Chizek).



## Discussion

They are here to tell us about their Jail Project. In April 2002, the Board of Commissioners began discussions with American Consulting to look into remodeling the jail or building a new one. At that time, an oversight group was formed. The decision of that group was to build a new jail. They have had several meetings and public presentations to the Board, the residents, and the Town Council. There was a remonstrance and over 60% of the signatures were for the project.

The unit then read from a prepared document the history of the jail. In '92 they averaged 37 inmates per month '02 they averaged 88 inmates per month. They project by '23 they will average over 180 inmates per month. They now peak at 115 inmates on the weekends. They opened a work release center last year to help deal with the inmate population. The new facility will meet all their needs and be more cost effective.

The County Council capped the bond issue, not the project costs, but only the amount of the bonds to be issued. The lease will be paid via general obligation bonds through an increase in property taxes.

Questions by the Board:

James: How did the Council arrive at \$17 million instead of \$20m or \$15m?

Answer: They do not know why they chose \$17 million.

Lisa: What is included in the "Other" line item?

Answer: Bond insurance amount, primarily.

James: On the County Farm site will you need to acquire land?

Answer: No, it is land that the County already owns.

Stan: Is the Court System included in this building?

Answer: No, it will be the jail only.

Rich: Will you show us the design of the building, since you have brought them with you?

Answer: The architect went over the designs in detail.

Richard: Does the Sheriff's Dept. run the work release program?

Answer: Yes.

James: How many additional staff will you need?

Answer: With 200 inmates, the system needs 10 people. Right now, it takes 24 with the design we have now.

Richard: Will your budget support the increase?

Answer: We cannot answer that definitely. We do not know how it is all going to work out.

Stan: What are you going to do with the current building?

Answer: There are several options and we have not decided on one yet. It will probably be re-used by the County.

Richard: How many Courts do you have?

Answer: Three.

Dan: Are you at your maximum levy? Do you have an operating budget?

Answer: We don't know, we have not been certified yet for 2004 – they think everybody is at their maximum levy and they have about \$500,000 in the bank.

Dan: Did you typically go for your max. levy?

Answer: No.

Richard: Do you have any lawsuits because of overcrowding?

Answer: Not yet. Their main problem has been not being able to segregate inmates properly.

Richard: Do you have a juvenile facility?

Answer: No, all their juveniles go to Delaware County

### **Recommendation**

Stan motioned to recommend approval to enter into a lease with maximum annual payments in the amount of \$1,674,000 for a term not to exceed twenty-one (21) years. Dan seconded and the motion carried 5-0.

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### **Perry Township, Clinton County Emergency Township Loan**

The township is requesting approval to obtain a loan for the Township General Fund in the amount of \$5,754. The loan is will used to fund operations that were short because of smaller than anticipated distribution and late distributions. The anticipate tax rate is estimated to be .0144 based on an assessed value of \$39,889,260 and an annual levy of \$5,754.

The unit shows a need, based on the following emergency loan calculation, of:

January 1, 2004 Cash Balance	\$7,938
Plus: 2004 Certified Tax Levy	\$13,961
Plus: Estimated 2004 Revenues	<u>\$1,911</u>
Total Funds Available 2004	\$23,810
Less: Encumbered Appropriations	\$8,864
Less: Estimated 2004 Expenditures	<u>\$20,700</u>
Funds Remaining	(\$5,754)

Emergency Loan Requirement

<b>\$5,754</b>
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## **Taxpayer Objections**

The Date of Publication for a public meeting was April 16<sup>th</sup> 2004. A Public hearing was held on April 26<sup>th</sup>, 2004. The Notice of Determination was published April 29<sup>th</sup>, 2004. The Remonstrance period will end May 29<sup>th</sup>, 2004.

## **Attendance**

The following people attended the hearing: Constance J. Blacker (Trustee).

## **Discussion**

This past July they discovered that there had been several bookkeeping entry errors in the Township books. They are running out of money and have used up all their reserves. The problem began during a routing audit when it was discovered that the January 1<sup>st</sup>, 2003 cash balances were entered incorrectly. Now the tax rates are not sufficient to support their expenses. The amount of \$36,000 borrowed last year and the \$27,000 they are asking for this year will put them back on track and catch them up from the 02pay03 errors. She is sorry and embarrassed about the errors. Her mother, who used to be the Trustee, was helping her and it was her mother who made the error. She had to tell her mother she was fired.

Questions by the Board:

Dan: Is the loan you are not able to pay back a tax anticipation warrant?

Answer: Yes. She paid the bills rather than the tax anticipation warrant and asked for an extension to pay it back.

Dan: What is the \$22,157 encumbrance amount?

Answer: That is the tax anticipation warrant amount.

Dan: Did you miss a loan payment?

Answer: No – they made the loan payment with the tax anticipation warrant amount.

Stan: What is you fire debt paying off?

Answer: A new fire station and a tanker.

There followed a discussion between the Board Members about being able to borrow money for the Township fund and if this was the correct course of action. At the end of the discussion, the Trustee formerly withdrew all three emergency loan requests in lieu of “fixing” the problem with her DLGF field rep.

## **Recommendation**

Trustee formerly withdrew emergency township loan request.

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**Perry Township, Clinton County  
Emergency Poor Relief Loan**

The township is requesting approval to obtain a loan for Poor Relief in the amount of \$2,447. The loan is will used to fund operations that were short because of smaller than anticipated distribution and late distributions. The anticipate tax rate is estimated to be .0061 based on an assessed value of \$39,889,260 and an annual levy of \$2,447.

The unit shows a need, based on the following emergency loan calculation, of:

January 1, 2004 Cash Balance	<b>Fire Fund</b>	\$2,512
Plus: 2004 Certified Tax Levy		\$7,978
Plus: Estimated 2004 Revenues		\$589
Total Funds Available 2004		\$11,079
Less: Encumbered Appropriations		\$3,526
Less: Estimated 2004 Expenditures		\$10,000
Funds Remaining		(\$2,447)

Emergency Loan Requirement	<div style="border: 1px solid black; padding: 2px; display: inline-block;"><b>\$2,447</b></div>
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**Taxpayer Objections**

The Date of Publication for a public meeting was April 16<sup>th</sup> 2004. A Public hearing was held on April 26<sup>th</sup>, 2004. The Notice of Determination was published April 29<sup>th</sup>, 2004. The Remonstrance period will end May 29<sup>th</sup>, 2004.

**Attendance**

The following people attended the hearing: See Above Issue

**Discussion**

See above discussion.

**Recommendation**

Trustee formerly withdrew emergency poor relief loan request.

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**Perry Township, Clinton County  
Emergency Fire Loan**

The township is requesting approval to obtain a loan for Fire Protection Services in the amount of \$15,518. The loan is will used to fund operations that were short because of smaller than anticipated distribution and late distributions.

The unit shows a need, based on the following emergency loan calculation, of

January 1, 2004 Cash Balance	<b>Fire</b>	(\$13,697)
Plus: 2004 Certified Tax Levy		\$45,458

Plus: Estimated 2004 Revenues	\$1,079
Total Funds Available 2004	\$32,840
Less: Encumbered Appropriations	\$22,157
Less: Estimated 2004 Expenditures	\$26,201
Funds Remaining	(\$15,518)
Emergency Loan Requirement	<b>\$15,518</b>

### **Taxpayer Objections**

The Date of Publication for a public meeting was April 16<sup>th</sup> 2004. A Public hearing was held on April 26<sup>th</sup>, 2004. The Notice of Determination was published April 29<sup>th</sup>, 2004. The Remonstrance period will end May 29<sup>th</sup>, 2004.

### **Attendance**

The following people attended the hearing: See Above Issue

### **Discussion**

See above discussion.

### **Recommendation**

Trustee formerly withdrew emergency fire loan request.

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### **Railroad Township, Starke County Emergency Fire Loan**

The township is requesting an emergency fire loan in the amount of \$45,000. Proceeds of the loan will be used to fund fire protection services. The loan is will used to fund operations that will not be funded because of the tax rates being incorrect in 2003, and then froze at that level. The anticipated tax rate is estimated to be .0965 bases on an assessed value of \$49,169,640 and an annual levy of \$47,446.

The unit shows a need, based on the following emergency loan calculation, of

January 1, 2004 Cash Balance <b>Fire</b>	\$5,773
Plus: 2004 Certified Tax Levy	\$1,180
Plus: Estimated 2004 Revenues	\$8,382
Total Funds Available 2004	\$15,335
Less: Encumbered Appropriations	\$0
Less: Estimated 2004 Expenditures	\$55,000
Funds Remaining	(\$39,665)
Emergency Loan Requirement	<b>\$39,665</b>

## **Taxpayer Objections**

The Date of Publication for a public meeting was February 26<sup>th</sup> 2004. A Public hearing was held on March 08<sup>th</sup>, 2004. The Notice of Determination was published March 18<sup>th</sup>, 2004. The Auditor certified No Remonstrance on April 19<sup>th</sup>, 2004.

## **Attendance**

The following people attended the hearing: Sherry Paulsen (Trustee).

## **Discussion**

Their budget was denied because of incorrect advertising. They appealed and were approved and then they received their budget order and realized that they had figured their tax rate incorrectly. Since Senate Bill 1 froze their levy at last year's rate, they had no way to correct their error.

She has contacted her State Senator and she delegated the issue to a staff member. She is waiting for a response for special legislation from her Senator.

Questions by the Board:

Stan: Could this have been fixed with a Math Error appeal?

Answer: Yes, but she did not realize that because they were not certified until October of last year – too late to file an appeal.

Lisa: Do you have any local income taxes?

Answer: COIT, or CAGIT. They use to receive \$5-6,000; this year they received less than a \$1,000.

Dan: Did you go to the County Council and the County Board of Commissioners for help with your poor relief as required by statute?

Answer: No, I did not realize that I needed to do that.

The Board then discussed “tabling” the issue until more information is received. Specifically, wanting to see the letter, if the Trustee receives a letter from her Senator enabling Special Legislation to help her.

## **Recommendation**

Stan motioned to table the issues until the next Board Meeting next month. Dan seconded and the motion carried 5-0.

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**Railroad Township, Starke County  
Emergency Poor Relief Loan**

The township is requesting an emergency poor relief loan in the amount of \$6,000. Proceeds of the loan will be used to fund operations that will not be funded because of the tax rates being incorrect in 2003, and then froze at that level. The anticipated tax rate is estimated to be .0129 bases on an assessed value of \$49,169,640 and an annual levy of \$6,327.

The unit shows a need, based on the following emergency loan calculation, of

January 1, 2004 Cash Balance	\$1,583
Plus: 2004 Certified Tax Levy	\$0
Plus: Estimated 2004 Revenues	\$0
Total Funds Available 2004	\$1,583
Less: Encumbered Appropriations	\$0
Less: Estimated 2004 Expenditures	\$5,000
Funds Remaining	(\$3,417)

Emergency Loan Requirement	<b>\$3,417</b>
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**Taxpayer Objections**

The Date of Publication for a public meeting was February 26<sup>th</sup> 2004. A Public hearing was held on March 08<sup>th</sup>, 2004. The Notice of Determination was published March 18<sup>th</sup>, 2004. The Auditor certified No Remonstrance on April 19<sup>th</sup>, 2004.

**Attendance**

The following people attended the hearing: See Above Issue.

**Discussion**

See above discussion.

**Recommendation**

Stan motioned to table the issues until the next Board Meeting next month. Dan seconded and the motion carried 5-0.

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**Railroad Township, Starke County  
Emergency Township Loan**

The township is requesting an emergency township loan in the amount of \$25,000. Proceeds of the loan will be used to fund operations that will not be funded because of the tax rates being incorrect in 2003, and then froze at that level. The anticipated tax rate is estimated to be .0536 bases on an assessed value of \$49,169,640 and an annual levy of \$26,359.

The unit shows a need, based on the following emergency loan calculation, of

January 1, 2004 Cash Balance	\$3,928
Plus: 2004 Certified Tax Levy	\$3,687
Plus: Estimated 2004 Revenues	<u>\$1,691</u>
Total Funds Available 2004	\$9,306
Less: Encumbered Appropriations	\$0
Less: Estimated 2004 Expenditures	<u>\$31,980</u>
Funds Remaining	(\$22,674)

Emergency Loan Requirement	\$22,674
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### **Taxpayer Objections**

The Date of Publication for a public meeting was February 26<sup>th</sup> 2004. A Public hearing was held on March 08<sup>th</sup>, 2004. The Notice of Determination was published March 18<sup>th</sup>, 2004. The Auditor certified No Remonstrance on April 19<sup>th</sup>, 2004.

### **Attendance**

The following people attended the hearing: See Above Issue.

### **Discussion**

See above discussion.

### **Recommendation**

Stan motioned to table the issues until the next Board Meeting next month. Dan seconded and the motion carried 5-0.

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### **Town of Middlebury, Elkhart County General Obligation Bonds**

The unit is requesting approval to issue general obligation bonds in the amount of \$1,300,000 for a period not to exceed ten (10) years. Proceeds of the bonds will be used to provide funds for the costs of various projects for the Town's Public Works Department, Parks Department, and Police Department. The anticipated tax rate is estimated to be .0261 based on an assessed value of \$268,646,180 and an annual levy of \$70,138. The Common Construction Wage hearing was held on April 15<sup>th</sup>, 2004 and passed 4-0 (one member absent). This is an uncontrolled project.

### **Taxpayer Objections**

A public meeting was held April 05<sup>th</sup>, 2004. The Notice of Determination was published April 07<sup>th</sup>, 2004. The Auditor certified No Remonstrance on May 05<sup>th</sup>, 2004.



### **Attendance**

The following people attended the hearing: Kathy Raver (Financial Advisor with H.J. Umbaugh & Company), Lowell Miller (Town Manager), Craig Buche (Town Attorney), Pattie Zelmer (Bond Counsel with Ice Miller).

### **Discussion**

During a review process, several projects were identified as being started, but not completed. The Town is trying to catch up on several projects that have been put off for several years, but all of them needing to be done. The rate is estimated to be 2.6 cents in order to complete all the projects; the Town rate is currently .45 cents.

Questions by the Board:

James: Does the Town own the EMS building?

Answer: Yes, they will re-use that building, probably for a park expansion. They have had good support from the residents and the Common Construction Wage schedule was approved unanimously.

Richard: What is your population?

Answer: 3,000 at night, 10,000 during the day. Their main industry is RV construction.

Stan: Do you think you can get all this done for a little more than a million dollars?

Answer: Yes, they have already received estimates to complete all the projects.

Stan: Are any of the ditches legal drains?

Answer: Only one – Mather's Ditch. The cost to fix the drain will be shared with the Drainage Board, but it is a very small project. It will only take a few thousand dollars to fix it.

Richard: Have you had a lot of publicity and has it been favorable?

Answer: Yes, a lot of publicity and there has been a remarkable amount of support from the community.

### **Recommendation**

Richard motioned to recommend approval to issue General Obligation Bonds in the amount of \$1,300,000 for a term not to exceed ten (10) years. Lisa seconded and the motion carried 5-0.

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### **Newton County Public Library, Newton County Lease**

The unit is requesting approval to enter into a lease in the amount of \$8,170,000 with maximum annual payments not to exceed \$716,000 for a period not to exceed twenty-two (22) years.

Proceeds of the bonds will be used to construct new library buildings in Morocco, Lake Village and Roselawn. The anticipated tax rate is estimated to be .1513 based on an assessed value of

\$450,000,000 and an annual levy of \$681,000. The Common Construction Wage hearing was held May 12<sup>th</sup>, 2004 and passed 5-0. This is a controlled project.

### **Taxpayer Objections**

The Date of Publication for a public meeting was November 06<sup>th</sup>, 2003. Public meetings were held December 03<sup>rd</sup>, 2003 and March 15<sup>th</sup>, 2004. The Notice of Determination was published December 10<sup>th</sup>, 2003. The Auditor certified No Remonstrance on January 15<sup>th</sup>, 2004.

### **Attendance**

The following people attended the hearing: Jane Herndon (Bond Counsel with Ice Miller), Mark Gatewood (Library), Melody L. Barone (Library), Joel P. Blum (Interior Design), Don Perry (Interior Design), Dan Blasley (Attorney), Lonnie Therber (Financial Advisor), Mary K. Emmrick (Library Director).

### **Discussion**

They are beginning to see a tremendous growth overflow from Lake County. They need to expand the Library in order to service the growing population. There has been broad face support from the community, the only question being “Why only three library buildings and not four?” They serve the northern six townships in Newton County, with the top two being bedroom communities for Lake and Porter Counties.

All of their current buildings were not designed to be libraries. They were storefronts converted for library purposes. They have received \$10,000 from Lake Township to help build the new library buildings, plus numerous other private donations.

Questions by the Board:

James: Is this a property tax backup request then?

Answer: No, they need the property tax in order to construct the library buildings.

James: Then you have received a lot of support?

Answer: Yes, everywhere the Mayor goes he is asked when are you going to start?

Lisa: Does the change in Senate Bill 1 Section 19 apply to this?

Answer: Our understanding is that debt issues and Library Capitol Project Funds do not need that additional level of approval.

Dan: Are you planning to increase your appropriations?

Answer: No, they have been steadily increasing their appropriations in anticipation of this project.

### **Recommendation**

Dan motioned to recommend approval to enter into a lease with maximum annual lease payments in the amount of \$716,000 for a term not to exceed twenty-two (22) years. Lisa seconded and the motion carried 5-0.

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### **Washington Township, Porter County Fire Equipment and Building Loan**

The unit is requesting approval to obtain a loan in the amount of \$221,000 for the purpose of purchasing a fire rescue engine. The total cost of the equipment is \$300,000. The anticipated tax rate is estimated to be .0021 based on an assessed value of \$209,448,030 and an annual levy of \$44,662. The Common Construction Wage is not applicable.

### **Taxpayer Objections**

The Date of Publication for a public meeting was March 02<sup>nd</sup>, 2004. A public meeting was held on March 15<sup>th</sup>, 2004. The Notice of Determination was published March 18<sup>th</sup>, 2004. The Auditor certified No Remonstrance on April 19<sup>th</sup>, 2004.

### **Attendance**

The following people attended the hearing: Phillip Norman (Attorney), Dwayne Tate (Fire Captain), Lynn Ross (Trustee/Assessor), Scott Stafford (Firefighter).

### **Discussion**

They have a thirty-member all volunteer fire department. The new truck will take over 75% of the runs the two current engines are responding to now. The others trucks will be used as backup trucks.

Questions by the Board:

James: Are your calls increasing?

Answer: Yes, at a rate of 5-10% every year.

James: Is you Township growing, then?

Answer: Yes, by leaps and bounds. Both commercial and residential building sales are up this year again.

James: You have a lot of financing coming from redevelopment?

Answer: Yes.

Dan: You Hearing Information Sheet on page 3 says you are going to lower the rate in the Cum. fund to cover the increase in the debt fund – is this correct?

Answer: Yes; they were advised by their field rep to go for a debt issue in case the Cum. fund was denied at a later time because of a remonstrance.

### **Recommendation**

Richard motioned to recommend approval of a fire loan in the amount of 221,000. Lisa seconded and the motion carried 5-0.

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### **City of Elkhart, Elkhart County General Obligation Bonds**

The unit is requesting approval to issue general obligation bonds in the amount of \$1,415,000 for a period not to exceed twelve (12) years. Proceeds of the bonds will be used to fund the acquisition and demolition of vacant or under-utilized industrial properties, and address any environmental conditions that would inhibit development. After preparation, the sites will be opened up for private development. This bond issue is part of the ongoing funding of the Riverwalk Commons project. The anticipated tax rate is estimated to be .0093 based on an assessed value of \$2,386,603,640 and an annual levy of \$222,185. The Common Construction Wage is not applicable. This is an uncontrolled project.

### **Taxpayer Objections**

A Resolution was passed May 11, 2004 appropriating bond proceeds. This issue will subject to remonstrance after the Date of Publication for the Sale of Bonds, currently scheduled for April 30<sup>th</sup>, 2004.

### **Attendance**

The following people attended the hearing: Kathy Raver (Financial Advisor with H.J. Umbaugh and Company), Dave Arrensen (Bond Counsel with Baker & Daniels), Mark Brinson (Director of Planning for the City of Elkhart).

### **Discussion**

They were here a couple of years ago for a similar project. They are seeking to finance the acquisition, demolition and environmental concerns for the on-going River Walk Commons Project. They are in the process of remodeling old industrial areas and turning them into a Park called the River Walk Commons. They are acquiring land that has old abandoned industrial and residential buildings on them, and which the architecture does not “fit in” with the rest of downtown Elkhart, demolishing them, removing contaminated dirt, and rebuilding new buildings and a walking path around the river.

Questions by the Board:

James: Is there a lot of cleanup involved with the old industrial sites?

Answer: Yes, a lot.

Dan: Is the foundry going to cost of lot to clean up?

Answer: Not really – foundries do not use heavy elements in their processing.

Richard: You say you have a river walk also?

Answer: Yes, currently it is just a partial one. Our plan is to expand that further around the river on both sides up to the point where it joins a second river.

Judy: Out of curiosity, what two rivers run through Elkart?

Answer: The Elkhart River, which runs into the St. Joseph River in the heart of downtown.

James: Will you receive enough revenue from TIF?

Answer: It helps a lot, but we still need to issue bonds to complete the project. We have received a lot of support from the newspapers and the community.

James: Is this going to be a property-tax backup?

Answer: Yes, there is enough TIF revenue to cover the debt payment.

### **Recommendation**

Dan motioned to recommend approval to issue General Obligation Bonds in the amount of \$1,415,000 for a term not to exceed twelve (12) years. Richard seconded and the motion carried 5-0.

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